

House Bill 1242

By: Representatives Bordeaux of the 162<sup>nd</sup> and Maxwell of the 17<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to  
2 provide that resident relatives under motor vehicle insurance includes certain wards and  
3 foster children while living in the named insured's household; to provide for related matters;  
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by  
8 striking subparagraph (b)(1)(B) of Code Section 33-7-11, relating to uninsured motorist  
9 coverage under motor vehicle liability policies, and inserting in lieu thereof a new  
10 subparagraph (b)(1)(B) to read as follows:

11 "(B) 'Insured' means the named insured and, while resident of the same household, the  
12 spouse of any such named insured and relatives of either, while in a motor vehicle or  
13 otherwise; any person who uses, with the expressed or implied consent of the named  
14 insured, the motor vehicle to which the policy applies; a guest in such motor vehicle to  
15 which the policy applies; or the personal representatives of any of the above. For  
16 policies issued or renewed on and after July 1, 2006, the term 'insured' shall also mean  
17 a foster child or ward residing in the household of the named insured pursuant to a court  
18 order, guardianship, or placement by the Department of Family and Children Services."

19 **SECTION 2.**

20 Said title is further amended by striking paragraph (1) of Code Section 33-34-2, relating to  
21 definitions concerning motor vehicle accident reparations, and inserting in lieu thereof a new  
22 paragraph (1) to read as follows:

23 "(1) 'Medical payments coverage' includes any coverage in which the insurer agrees to  
24 reimburse the insured and others for reasonable and necessary medical expenses and

1 funeral expenses incurred as a result of bodily injury or death caused by a motor vehicle  
2 accident, without regard to the insured's liability for the accident. Coverage shall be  
3 available to the named insured, resident spouse, and any resident relative while occupying  
4 the covered motor vehicle, and to any other person legally occupying a covered motor  
5 vehicle. Expenses must be incurred for services rendered within three years from the date  
6 of the accident; provided, however, that nothing shall prevent an insurer from allowing  
7 a longer period of time. Any rule or regulation promulgated which expands or conflicts  
8 with this definition shall be null and void. For policies issued or renewed on and after  
9 July 1, 2006, the term 'resident relative' shall also mean a foster child or ward residing in  
10 the household of the named insured pursuant to a court order, guardianship, or placement  
11 by the Department of Family and Children Services."

12 **SECTION 3.**

13 All laws and parts of laws in conflict with this Act are repealed.